

FEDERAL COMMUNICATIONS COMMISSION
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July 2, 2007

Kenneth C. Hill, President
Appalachian Educational Communications Corp.
340 Edgemont Avenue, Suite 100
Bristol, Tennessee 37620

Re: WHGB (AM), Marion, Virginia
Facility Identification Number: 19478
Appalachian Educational Communications Corp.
Special Temporary Authority

Dear Mr. Hill:

This is in reference to the request filed June 23, 2007, on behalf of Appalachian Educational Communications Corp. ("AECC"). AECC requests special temporary authority ("STA") to operate Station WHGB with temporary facilities.¹ In support of the request, AECC states that Station WHGB has been operating under STA since loss of the licensed transmitter site.² AECC requests STA for operation with a temporary wire antenna.

Our review indicates that the proposed STA operation complies with our STA policies and is unlikely to cause interference to any other station.

Accordingly, the request for STA IS HEREBY GRANTED. Station WHGB may operate, with the following facilities:

Transmitter location:	Existing WGBH studio building
Geographic coordinates:	36° 49' 09" N, 81° 28' 10" W (NAD 1927)
Frequency:	1330 kHz
Hours of operation:	Daytime only
Operating power:	Not to exceed 5 kilowatts
Antenna type:	wire (inverted "V")
Overall height:	60 feet

It will be necessary to further reduce power or cease operation if complaints of interference are received. It is anticipated that an application for construction permit for new, permanent facilities will be filed prior to the expiration date below. AECC must use whatever means are necessary to protect workers and the public from exposure to radio frequency radiation in excess of the Commission's exposure guidelines. See 47 CFR § 1.1310. Note that, upon filing of the required

¹ WHGB is licensed for operation on 1330 kHz with 5 kilowatts, daytime hours only, employing a nondirectional antenna (ND-D-D). The Commission's engineering database includes a "plan" record for nighttime operation with 31 watts, pursuant to an Order to Show Cause issued in MM Docket No. 87-131; however, our records do not indicate that the required notification has been filed to convert the "plan" record into a license record.

² The previous STA expired on May 13, 2007.

letter of notification pursuant to the Order to Show Cause in MM Docket No. 87-131, AECC may request modification of STA to incorporate nighttime operation with 31 watts.

This authority expires on **January 2, 2008**.

STA Advisory: Section 309(f) of the Communications Act of 1934, as amended, authorizes the Commission to grant STA in cases of "extraordinary circumstances requiring temporary authorizations in the public interest and when delay in the institution of the temporary operations would seriously prejudice the public interest." However, Section 309(f) is not a means by which a licensee/permittee may circumvent established processing procedures which require the filing of an application, nor is it a means by which a broadcaster may enhance his facility or make operation more convenient for the broadcaster. Stations operating with less than licensed facilities under temporary authorities can be viewed as receiving the benefit of a larger protection area than that in which they are currently providing service.

Accordingly, Special Temporary Authorities by nature are to be temporary and are not intended for extended use. Licensees of stations operating under temporary authorities are reminded that timely restoration of permanent facilities is the responsibility of the licensee and should be undertaken expeditiously. Any request for extension of special temporary authorities carries an increased burden with each subsequent request.

Therefore, requests for extension of STA will be granted only where the licensee can show that one or more of the following criteria have been met:

- Restoration of licensed facilities is complete and testing is underway;
- Substantial progress has been made during the most recent STA period toward restoration of licensed operation; or
- No progress has been made during the most recent STA period for reasons clearly beyond the licensee's control, and the licensee has taken all possible steps to expeditiously resolve the problem.

Sincerely,



Charles N. Miller, Engineer
Audio Division
Media Bureau

cc: Appalachian Educational Communications Corp.